

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Tyler P. Wiss and Melody M. McKenna,

Case No. 22-CV-02047-JWB-LIB

Plaintiffs,

v.

Proctor Independent School District 704,  
Derek B. Parendo;  
Kerry Juntunen;  
Timothy Rohweder;  
John Awsumb;  
Anthony Wood;  
James F. Vos; and  
John E. Engelking.

Defendants.

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**[PROPOSED]  
ORDER DISMISSING  
PLAINTIFFS' AMENDED  
COMPLAINT AS TO  
DEFENDANTS PROCTOR  
PUBLIC SCHOOLS AND  
JOHN ENGELKING**

This matter came on for hearing before the Honorable United States District Court Judge Jerry W. Blackwell on July 24, 2023, at 10:00 a.m. (CDT) in Courtroom 3C, United States District Court, District of Minnesota, 316 Robert Street N, St. Paul, MN 55101. Alex D. Ivan, Esq. appeared on behalf of Defendants Proctor Public Schools and John E. Engelking. Nathan M. Cockerham, Esq. appeared on behalf of Plaintiffs.

Based on the pleadings, exhibits, files, and memoranda made in support of the motion, and oral arguments of the parties, the Court rules as follows:

1. Defendants Proctor Public Schools' and John E. Engelking's Motion to Dismiss Plaintiffs' Amended Complaint for Insufficient Service of Process is **GRANTED**.
2. Plaintiffs' Amended Complaint (Doc. 5) is dismissed without prejudice as to Defendants Proctor Public Schools, Independent School District No. 704, and John E. Engelking.

Dated: \_\_\_\_\_

BY THE COURT

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Honorable Jerry W. Blackwell  
District Judge  
U.S. District Court, District of Minnesota